

Families protest against law to limit compensation



Members of Clydeside Action on Asbestos, seen here with Brian Wilson, Labour MP for Cunninghame North, demonstrate outside Parliament against a provision in a Bill to be implemented in July which will limit the claim for workers killed by asbestosis to two years' wages. The new law brings Scotland into line with the rest of Britain.

Picture: CHI CHAN

£16,000 award for asbestosis victim

By **BRUCE MCKAIN**
Law Correspondent

A 73-YEAR-OLD former shipyard worker, who is now confined to "shuffling" between two rooms of his home after contracting asbestosis, has been awarded damages of £16,000.

A Judge made it clear that Mr Hugh Campbell, of Nitshill, Glasgow, would have received a much higher award but for the fact that he had smoked between 10 and 20 cigarettes a day since he was 20.

Lord Weir said in the Court of Session: "The claimant's condition is a direct result of his exposure to asbestos in the shipyards."

Mr Campbell suffers from a distressing condition of breathlessness and he is virtually confined to one part of his house. His enjoyment of life is very limited and he has little or nothing to look forward to.

"The two bedrooms of the house in which he and his wife live are on the first floor and he is now largely confined to these rooms. It is only now and again that he goes downstairs and that only on special occasions. The effort of climbing he finds exhausting."

"His devoted wife sums up his way of life by describing it as

tween one bedroom and the other.

"In considering his suffering I have also taken into account his realisation that on looking back on his life's work his reward has been to contract this seriously disabling disease."

Mr Campbell spent most of his working life between 1936 and 1970 as an electrician in shipyards on the Clyde and sued his former employers, Campbell and Isherwood, of Newcastle-upon-Tyne.

Lord Weir said that during his time in the shipyards Mr Campbell was exposed to asbestos

which was admitted by his employers.

The main area of dispute was whether he was now suffering from asbestosis and to what extent his present condition was the result of other factors, particularly the fact that he had smoked from the age of 20 until last year.

The Judge accepted the evidence of Mr Campbell's medical experts that he was suffering from asbestosis because of his exposure to asbestos when he worked in the shipyards.

by the undoubted existence of his chronic bronchitis. Lord Weir said: "It has to be recognised that an award of solatium (for pain and suffering) would have to be very much greater had his condition been solely attributable to asbestosis."

The effects of other contributory causes must be regarded as considerable.

Mr Campbell's counsel had invited him to make an award of between £15,000 and £20,000 for pain and suffering while the other side suggested £10,000.